

REMARKS

Claims 1, 8, 12-15, 18, and 20-24 are pending in the application, claims 23 and 24 being newly added herein. Claims 2-7, 9-11, 16-17 and 19 were cancelled previously. Claims 1, 20 and 22 are the only independent claims.

Specification

The disclosure stands objected to because of a number of informalities.

Referring evidently to line 4 on page 2 of the marked up copy of the substitute specification, the Examiner points out that the term “said control means” should be changed to “a control means.” Referring to line 5 on page 2 of the specification, the Examiner maintains that the term “a control means” should be changed to “the control means.”

Applicants have corrected these informalities instead by deleting the phrase “and designed to be controlled by said control means” in line 4. Thus, the first recitation of the term “control means” in line 5 is now preceded by the indefinite article.

The Examiner additionally requires that the term “valuables case” be changed to the term “valuable case” on page 3, line 10 of the marked up copy of the substitute specification and in the claims.

Applicants respectfully traverse the Examiner’s requirement. It is believed that making the change required by the Examiner would introduce indefiniteness into the specification and claims. In its ordinary meaning, the term “valuable case” would refer to a case that is valuable in and of itself, without regard to its contents. That is not the subject matter of applicants’ invention. Instead, applicants’ invention is directed to a case for valuables -- valuable items or articles. The case may have little value, especially in comparison to the contents of the case.

The specification has additionally been amended on page 3 to clarify certain features of the present invention. In particular, page 3 has been amended to recite that the the control means

(3) is connected to an alarm system for generating an alarm upon a reduction of illumination levels falling on the light sensor 2, regardless of the number of valuables in the case 1, and regardless of whether all the valuables allotted to the case are disposed in the case. The alarm is generated when the valuables case 1 is closed or hidden away, independently of whether any of the case's contents have been removed. This description is added in part to provide antecedent basis for limitations inserted in the claims in this Amendment in order to distinguish prior art. This description is not considered to constitute new matter in that it congruent with and an exposition of the clear objectives of the invention.

Claims Rejections - 35 U.S.C. § 112, Second Paragraph

Claims 18 and 20 stand rejected under 35 U.S.C. § 112, second paragraph, as failing to set forth the subject matter which applicants regard as their invention. In particular, the Examiner points out that the disclosed luminosity detection circuit is not for detecting battery charge as set forth in claims 18 and 20.

In response to the Examiner's rejection of claims 18 and 20 under 35 U.S.C. § 112, second paragraph, those claims have been amended to change the term "luminosity detection circuit" to the term "battery charge detection circuit." This amended language is consistent internally with the claims and with the specification.

With reference to claims 21 and 22, the Examiner points out that there is insufficient antecedent basis in those claims for the phrase "said portable valuables case." In response to this point, claims 20 and 22 have been amended to introduce the valuables case as a "portable valuables case." Antecedent basis for the phrase "said portable valuables case" is now proper.

Claims Rejections - 35 U.S.C. §§ 102 and 103

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by **Lekhtman**, U.S. Patent No. 4,183,019.

Claim 22 stands rejected under 35 U.S.C. § 102(b) as being anticipated by **Simanowitz**, U.S. Patent No. 4,692,745.

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over **Lekhtman** in view of **Graf** (Encyclopedia of Electronic Circuit, vol. 3, page 413, Fig. 67-6).

Claims 12 and 13 also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over **Lekhtman** in view of **Graf**.

Claims 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over **Lekhtman** in view of **MacKenzie**, U.S. Patent No. 5,493,278.

Claims 18, 20, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over **Lekhtman** in view of **Middlemiss**, U.S. Patent No. 6,184,788.

Claim 1 In response to the rejection of claim 1 under 35 U.S.C. § 102(b), applicants have amended that claim herein to provide a better definition of the invention. Applicants respectfully maintain that claim 1 as amended distinguishes the invention over the prior art and particularly over the art relied on by the Examiner in rejecting the claims of the instant application.

Amended claim 1 is directed to a security device for a portable valuables case, comprising at least one battery, at least one light-responsive means installed in the portable valuables case for detecting a reduction in an amount of light falling on the portable valuables case, a signal transmitter unit installed in said portable valuables case, a control device for the signal transmitter unit, a control means electrically connected to the at least one light-responsive means and arranged to control the signal transmitter unit, a remote receiving unit arranged to receive signals transmitted by the transmitter unit, an alarm system located in the remote receiving unit, and an alarm control means for the alarm system arranged to be controlled by the

remote receiving unit and the control means to induce the alarm system to generate an alarm upon a reduction in an illumination level at the light responsive means.

Claim 1 has been amended pursuant to the Examiner's observation in Paragraph 14 of the Office Action that claims 1, 8, 12-15, 18, and 20-22 recite a light-responsive means that is energized by a *change* in environment lighting and thus do not specifically claim a covering of the photosensor or a reduction in the light level. Claim 1 has been amended to specifically recite that the light-responsive means is installed in the portable valuables case for detecting a *reduction* in an amount of light falling on the portable valuables case, while the control means is provided to induce the alarm system to generate an alarm upon a *reduction* in an illumination level at the light responsive means.

None of the references relied on by the Examiner, whether considered individually or collectively with one or more other references, either discloses or suggests the security device of claim 1 wherein an alarm system at a receiving unit remote from a portable valuables case generates an alarm in response to a reduction in an illumination level as detected by a light-sensitive sensor on the valuables case. In contrast to the present invention as set forth in amended claim 1, **Lekhtman** discloses an alarm system which is activated to emit an alarm only upon an *increase* in incident light, i.e., an increase in the illumination level as detected by a photosensor.

Claim 20 In response to the rejection of claim 20 as being unpatentable over **Lekhtman** in view of **Middlemiss**, applicants have amended claim 20 herein to provide a better definition of the invention. More particularly, claim 20 has been amended similarly to claim 1 to recite the limitation that a light-responsive means is energized by a reduction in environment lighting levels, rather than a change in environment lighting conditions.

In accordance with claim 20 as amended herein, a security device particularly suitable for a portable valuables case comprises at least one electric power source, and an alarm system electrically connected to the power source. The alarm system comprises at least one light-responsive means that is installed in the portable valuables case and is energized by the electric power source upon control and by a reduction in environment lighting levels, thereby generating at least one control signal for energizing the alarm system. A battery charge detection circuit indicates a charge level of said electric power source.

Neither of the references relied on by the Examiner in rejecting claim 20, whether considered in isolation or in combination with one or more other references, either discloses or suggests the security device of claim 1 wherein an alarm system generates an alarm in response to a reduction in environment lighting levels as detected by a light-sensitive sensor on a portable valuables case. **Lekhtman** in particular discloses an alarm system that is activated to emit an alarm only upon an *increase* in incident light, i.e., an increase in the environment lighting levels as detected by a light-sensitive sensor.

Claim 22 In response to the rejection of claim 22 as being anticipated by Simanowitz, applicants have amended claim 22 herein to provide a better definition of the invention. More particularly, claim 22 has been amended to clarify that the alarm generation by a security device in accordance with the invention occurs upon a reduction in illumination falling on a light-responsive sensor of a portable valuables case regardless of whether the case continues to hold its contents.

As recited in amended independent claim 22, a security device particularly suitable for a portable valuables case holding a predetermined number of valuables comprises at least one battery mounted to the portable valuables case, at least one light-responsive sensor installed in the portable valuables case, an alarm system, and a control unit operatively connected to the

light-responsive sensor and the alarm system for controlling same to emit an alarm upon a reduction in the amount of light falling on the light-responsive sensor and independently of whether all of the valuables are disposed in the portable valuables case.

Simanowitz discloses a wallet provided with an alarm and control elements that activate the alarm when the wallet is closed *and* one or more credit cards are missing from the wallet. This is in contrast to applicants' invention where an alarm is sounded independently of whether the valuables are disposed in the valuables case.

Conclusion

For the foregoing reasons, independent claims 1, 20, and 22, as well as the claims dependent therefrom, are deemed to be in condition for allowance. An early Notice to that effect is earnestly solicited.

Should the Examiner believe that direct contact with applicants' attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

COLEMAN SUDOL SAPONE, P.C.

Dated: March 12, 2004

By: 

R. Neil Sudol
Reg. No. 31,669

714 Colorado Avenue
Bridgeport, CT 06605-1601
(203) 366-3560